IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISIDICTION
WRIT PETITION NO.1119 OF 2004
IN
M.J.PETITION NO. C-215 OF 1996
AND
M.J.PETITION NO. A-2082 OF 1996

Mrs.Reena K.Vyas ..Petitioner

Vs.

Krishnakant M.Vyas ..Respondent

....

Mr.Gopal R.Hegde for Petitioner
Mr.MadhavJamdar for respondent

....

CORAM : B.H.MARLAPALLE,J.
DATE : FEBRUARY 7,2005

P.C.:

1. Heard Mr.Hegde, the learned counsel for the petitioner and Mr.Jamdar, the learned counsel for the respondent.

2. Being aggrieved by the orders passed by the family Court on the applications below Exhibits Nos. 130 to 132, the petitioner approaches this Court. Having heard the respective parties on length, I am satisfied that the orders passed by the family Court on the applications at Exhibits-130 and 132 do not call for any interference. However, the application filed at Exhibit-131 was seeking directions against the husband to submit certain documents. Mr.Jamdar, the learned counsel for the respondent-husband submitted that most of the documents are already on

record including the Income-tax returns for the year 1997-1998 onwards. Income-tax returns for the earlier years 1993-94 to 1996-97 are some of these documents which were sought to be called for. Mr.Hegde, also submitted that the Income-tax return for the year 2003-04 is also not on record. He further submitted that these documents are necessary to determine the husband's income so as to decide the quantum of permanent alimony.

3. It is directed that if the Income-tax returns for the years 1993-94 to 1996-97 and 2003-04 are not available on record before the family Court, the copies thereof duly certified by the Chartered Accountant, shall be submitted before the same Court within two weeks from today by the respondent-husband. In the facts and circumstances of this case, no other directions are necessary at least at this stage and the petition is being disposed of only for the reasons that the mediation proceedings have failed and the family Court is required to proceed further and pronounce its judgment.

4. Petition is disposed of in terms of above order. Ad-interim orders stand vacated.

[B.H.MARLAPALLE,J.]